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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,011	01/29/2004	Vijay Wani	62485B	4735

109 7590 07/06/2006

THE DOW CHEMICAL COMPANY
INTELLECTUAL PROPERTY SECTION
P. O. BOX 1967
MIDLAND, MI 48641-1967

EXAMINER

HUSON, MONICA ANNE

ART UNIT	PAPER NUMBER
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1732

DATE MAILED: 07/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/767,011

Applicant(s)

WANI ET AL.

Examiner

Monica A. Huson

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is in response to the Amendment filed 11 April 2006.
Due to applicant's amendment, the previous rejections are withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7-9, and 15-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Ackeret et al. (U.S. Patent 6,132,834). Regarding Claim 7, Ackeret et al., hereafter "Ackeret," show that it is known to carry out a method for preparing a molded plastic article having a sheet material surface piece (Abstract) comprising the steps of (a) providing a precut thin, semi-rigid sheet material surface piece of metal to a mold cavity (Column 2, lines 65-67; Column 4, lines 61-63); (b) molding in a first molding step a substrate plastic component having adhered to a surface thereof the sheet material surface piece having edges and a surface area (Column 4, lines 54-56); (c) molding on in a second molding step an edge-covering component which overlaps at least part of the sheet material edges and sheet material surface area adjacent the edges but not covering an area of the adhered sheet material surface piece that provides a part of the article surface (Column 4, lines 56-57; Column 5, lines 66-67; Column 6, lines 1-2).

Regarding Claim 8, Ackeret shows the process as claimed as discussed in the rejection of Claim 7 above, including a method where, in the first molding

step, the precut sheet material surface piece is adhered in the molding step to a continuous plastic substrate and the adhered sheet material surface piece is provided with an edge thickness covering that will cover at least a part of the thickness of the peripheral edges of the sheet material (Figures 2B, 2D).

Regarding Claim 9, Ackeret shows the process as claimed as discussed in the rejection of Claim 7 above, including a method where the molded-on edge-covering component is provided directly to the substrate plastic component with adhered sheet material that results from the first molding step without intermediate trimming, cutting, or tooling (Figure 2B; Column 4, lines 52-60; Column 5, lines 1-35).

Regarding Claim 15, Ackeret shows the process as claimed as discussed in the rejection of Claim 7 above, including a method where, in the first molding step, the substrate plastic completely covers the back side of the sheet material piece (Figure 2B).

Regarding Claim 16, Ackeret shows the process as claimed as discussed in the rejection of Claim 15 above, including a method where, in the first molding step, the precut sheet material is slightly smaller than the cavity and the substrate plastic provides a protective edge thickness covering that covers at least a part of the thicknesses of the peripheral edges of the sheet material (Figure 4C, 2B).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ackeret, in view of Savonuzzi (U.S. Patent 6,165,404).

Regarding Claim 10, Ackeret shows the process as claimed as discussed in the rejection of Claim 7 above, but he does not show using a laminate as the sheet material. Savonuzzi shows that it is known to carry out a method where the sheet material is a laminate structure comprising the sheet material, an interior adhesive layer and, on the surface opposite the sheet material layer, a protective backing layer which bonds or otherwise adheres to the substrate plastic and protects the adhesive layer during the molding step (Figure 2C, elements 26, 27, 24). Savonuzzi and Ackeret are combinable because they are concerned with a similar technical field, namely, methods of producing composite articles by placing a sheet material into a mold cavity and subsequently molding around the sheet material. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to use Savonuzzi's laminate as the sheet material in Ackeret's molding process in order to obtain a final article having a softer outer surface (relative to Ackeret's metal sheet material).

Regarding Claim 12, Ackeret shows that it is known to carry out a method for preparing a molded plastic article having a sheet material surface piece (Abstract) comprising the steps of (a) providing a precut sheet material surface piece to a mold cavity (Column 2, lines 65-67; Column 4, lines 61-63); (b) in a molding step, molding onto the sheet material a substrate plastic component, wherein the sheet material comprises a front surface-facing layer of metal (Column 4, lines 54-56). Ackeret does not show using a laminate as the sheet material. Savonuzzi shows that it is known to carry out a method where the sheet material is a laminate structure comprising the sheet material, an interior adhesive layer and, on the surface opposite the sheet material layer, a protective backing layer which bonds or otherwise adheres to the substrate plastic and protects the adhesive layer during the molding step (Figure 2C,

elements 26, 27, 24). It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to use Savonuzzi's laminate as the sheet material in Ackeret's molding process in order to obtain a final article having a robust sheet material element that includes layers having varying functions (e.g. mechanical strength, desirable texture).

Regarding Claim 14, Ackeret shows the process as claimed as discussed in the rejection of Claim 12 above, but he does not show using a laminate with a protective backing layer. Savonuzzi shows that it is known to carry out a method wherein the outer protective backing layer material bonds with the substrate plastic (Figure 2, element 26). It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to use Savonuzzi's protective backing layer as part of Ackeret's sheet material in order to provide a strong bond between the sheet material element and the molded substrate.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ackeret, in view of Izumi et al. (U.S. Patent 5,635,220). Ackeret shows the process as claimed as discussed in the rejection of Claim 7 above, but he does not specifically show controlling the flow path of the plastic material. Izumi et al., hereafter "Izumi," show that it is known to carry out a method where the second molding step uses a flow leader effect with (a) a main flow leader cavity for the edge-covering plastic component material which main flow cavity is generally around and outside the area of the peripheral sheet material edges and (b) a sheet material edge cavity that receives a flow of the edge-covering material in a direction that is generally not parallel to the peripheral edges of the sheet material (Figures 4-5). Izumi and Ackeret are combinable because they are concerned with a similar technical field, namely, methods of molding composite articles comprising sheet-like elements. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was

made to use Izum's flow path concepts during Ackeret's molding process in order to promote the desired positioning of the resin relative to the sheet material.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ackeret and Savonuzzi, further in view of Harada et al. (U.S. Patent 4,137,366). Ackeret shows the process as claimed as discussed in the rejection of Claim 12 above, but he does not show using a laminate sheet material comprising a polyamide adhesive. Harada et al., hereafter "Harada," show that it is known to carry out a method using a laminate comprising an adhesive layer of polyamide adhesive (Figure 1, element 3; Column 2, lines 46-65). Harada and Ackeret are combinable because they are concerned with a similar technical field, namely, methods of molding plastic articles including sheet materials. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to use Harada's specific laminate including a polyamide adhesive in Ackeret's molding process in order to obtain an article which meets specifications for certain polyamide adhesive properties.

Response to Arguments

Applicant's arguments with respect to claims 7-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply

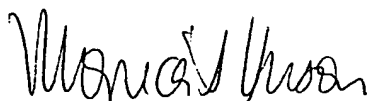
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is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica A. Huson whose telephone number is 571-272-1198. The examiner can normally be reached on Monday-Friday 7:30am-5:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on 571-272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Monica A Huson

June 23, 2006



CHRISTINA JOHNSON
PRIMARY EXAMINER
6/23/06